

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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DIONDRAE PARKER,

Plaintiffs,

v.

M. PICKENS, *et al.*,

Defendants.

Case No. 3:22-CV-00543-MMD-CLB

**ORDER GRANTING MOTION FOR
MODIFIED STAY PENDING
RESOLUTION OF CRIMINAL
PROCEEDINGS**

[ECF No. 16]

Currently pending before the Court is Interested Party Nevada Department of Corrections' ("NDOC") motion for modified stay pending resolution of criminal proceedings. (ECF No. 16.) In the motion, NDOC seeks a stay of the Inmate Early Mediation scheduled for Tuesday, August 22, 2023, because the underlying facts related to this case are the subject of ongoing criminal proceedings filed against Plaintiff in Nevada state court. (*Id.*) The Court ordered Plaintiff to file a response to this motion by no later than August 16, 2023. However, no response or opposition was filed. Pursuant to Local Rule 7-2(d), the failure of an opposing party to file points and authorities in response to any motion shall constitute a consent to the granting of the motion.

Accordingly, NDOC's motion for modified for stay pending resolution of criminal proceedings, (ECF No. 16) is **GRANTED** and the Inmate Early Mediation scheduled for Tuesday, August 22, 2023 is hereby **VACATED**.

This case shall remain stayed until the criminal proceedings pending against Plaintiff are resolved. However, NDOC is ordered to file a status report with the Court advising the Court of the status of the charged within 14 days of the resolution of the criminal charges or within 180 days from the date of this order, whichever occurs first.

IT IS SO ORDERED.

DATED: August 17, 2023.


UNITED STATES MAGISTRATE JUDGE